



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PLANK ET AL.  
Serial No.: 10/658,682  
Filed: SEPTEMBER 9, 2003  
For: CYCLODEXTRIN-  
CONTAINING  
COMPOSITIONS AND  
METHODS

Examiner: UNKNOWN  
Group Art Unit: 1761  
Docket No.: GMI0012/US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I CERTIFY THAT ON MARCH 17, 2004, THIS CORRESPONDENCE  
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\_\_\_\_\_  
JAMIE A. EBACH

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure imposed by 37 C.F.R. § 1.56 and in accordance with the provisions of 37 C.F.R. §§ 1.97, 1.98 and the Manual of Patent Examining Procedure 609, Applicants bring to the attention of the Examiner the following information. The Examiner's independent and thorough review of this information is solicited.

Attached hereto please find Form PTO-1449 (2 pages) listing the cited references. It is the Applicant's understanding that for applications filed after June 30, 2003, the requirement under 37 C.F.R. § 1.98 (a)(2)(i), that copies of cited U.S. patents and U.S. patent applications be provided, has been waived. Thus, this application having been filed after June 30, 2003, only copies of the non-U.S. patent references and other documents are provided herewith. The Examiner is requested to indicate consideration of each reference by initialing in the appropriate box for each reference, and returning an initialed copy with the next Official Action.

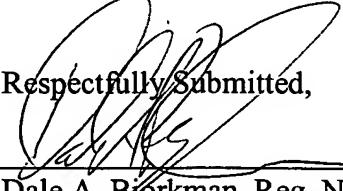
This Information Disclosure Statement is filed pursuant to 37 C.F.R. § 1.56 to bring to the Examiner's attention those references which may be material to the Examiner for examination of this case. However, the citation of the above references in this Information Disclosure Statement is not intended to constitute an admission that any patent or other reference referred to herein is "prior art" for this invention. In this regard, Applicants expressly reserve the right to contest that any of the references constitute "prior art."

No fee is believed to be necessary for the consideration of this Information Disclosure Statement since it is being filed before the receipt of an Office Action on the merits. In case the papers cross in the mail, it is requested that consideration of this Information Disclosure Statement be given under 37 C.F.R. § 1.97 (c)(2). If any fee is required, please charge our Deposit Account No. 50-1775 and notify us of the same.

Dated: March 17, 2004

By:

Respectfully Submitted,

  
Dale A. Bjorkman, Reg. No. 33,084



33072

PATENT TRADEMARK OFFICE

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DAB/JAE/11370

GMI0012/US 10/658,682

Applicant

PLANK ET AL.

Filing Date Group

SEPTEMBER 9, 2003 1761



INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date MM/DD/YYYY	Name	Class	Subclass	Filing Date If Appropriate
	4,775,749	10/04/1988	HIIYA ET AL	536	103	
	4,877,778	10/31/1989	CARPENTER ET AL	514	58	
	4,978,532	12/18/1990	EL-RASHIDY	424	448	
	5,063,077	11/05/1991	VOLLBRECHT ET AL	426	614	
	5,223,295	06/29/1993	MAFFRAND ET AL	426	431	
	5,232,725	08/03/1993	RODERBOURG ET AL	426	417	
	5,342,633	08/30/1994	CULLY ET AL	426	47	
	5,498,437	03/12/1996	KOHLRAUSCH ET AL	426	614	
	5,545,414	08/13/1996	BEHR ET AL	424	484	
	5,624,940	04/29/1997	BRYANT ET AL	514	324	
	6,087,353	07/11/2000	STEWART ET AL	514	182	
	6,129,945	10/10/2000	AWAD ET AL	426	580	
	2003/0232068	12/18/2003	LEWANDOWSKI ET AL	424	439	

FOREIGN PATENT DOCUMENTS

Inventor(s) Name	Document Number	Document Date (DD/MM/YYYY)	Country	Class	Subclass	Translation Yes/No
WURSCH ET AL	WO96/31128	10.10.1996	PCT	A23L	1/10	YES
NOH ET AL	WO99/17620	15.04.1999	PCT	A23L	1/015	YES
STEWART ET AL	WO99/59421	25.11.1999	PCT	A23D	7/00	YES
STEWART ET AL	WO99/63841	16.12.1999	PCT	A23L	1/03	YES

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

FAVIER ET AL	"Effect of Cyclodextrin on Plasma Lipids and Cholesterol Metabolism in the Rat," <i>Metabolism</i> , Vol. 44, No. 2, Feb. 1995, pgs. 200-206
FAVIER ET AL	"Fermentable carbohydrates exert a more potent cholesterol-lowering effect than cholestyramine," <i>Biochimica et Biophysica Acta</i> , 1258, 1995, pgs. 115-121
FÉRÉZOU ET AL	"Hypocholesterolemic action of β-cyclodextrin and its effects on cholesterol metabolism in pigs fed a cholesterol-enriched diet," <i>Journal of Lipid Research</i> , Vol. 38, 1997, pgs. 86-100
KAEWPRASERT ET AL	"Nutritional Effects of Cyclodextrin on Liver and Serum Lipids and Cecal Organic Acids in Rats," <i>J. Nutr. Sci. Vitaminol.</i> 47, 2001, pgs. 335-339
LEVRAT ET AL	"Role of Dietary Propionic Acid and Bile Acid Excretion in the Hypocholesterolemic Effects of Oligosaccharides in Rats," <i>Journal of Nutrition</i> , Vol. 124, No. 4, 1993, pgs. 531-538
MOUNDRAS ET AL	"The cholesterol lowering effect of steroid sequestrants is modulated by large intestine fermentations," <i>Nutritional Biochemistry</i> , Vol. 6, 1995, pgs. 158-162
MOUNDRAS ET AL	"Fermentable Polysaccharides that Enhance Fecal Bile Acid Excretion Lower Plasma Cholesterol and Apolipoprotein E-Rich HDL in Rats," <i>American Inst. of Nutrition</i> , 1994, pgs. 2179-2188

Form PTO-1449 U.S. Department of Commerce  
 Patent and Trademark Office  
 INFORMATION DISCLOSURE  
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Atty. Docket No. GMI0012/US	Serial No. 10/658,682
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

PRAKASH ET AL	“Safety evaluation of certain food additives and contaminants,” World Health Organization, Geneva 2000, Series 48, pgs. 110-127
RIOTTOT ET AL	“Hypolipidemic Effects of β-cyclodextrin in the Hamster and in the Genetically Hypercholesterolemic Rico Rat,” LIPIDS, Vol. 28, No. 3, 1993, pgs. 181-188
TRAUTWEIN ET AL	“Impact of β-cyclodextrin and resistant starch on bile acid metabolism and fecal steroid excretion in regard to their hypolipidemic action in hamsters,” Biochimica et Biophysica Acta 1437, 1999, pgs. 1-12
FUKUMOTO	Patent Abstracts of Japan, Publication No.: 56096670, App. No.: 54171968, dated: 04.08.81
AKIYAMA ET AL	Patent Abstracts of Japan, Publication No.: 53126089, App. No.: JP1977000041128, dated: 1977.11.04
IKEDA ET AL	Patent Abstracts of Japan, Publication No.: 11225706, App. No.: 10035704, dated: 18.02.98
OKUDA ET AL	Patent Abstracts of Japan, Publication No.: 2002308777, App. No.: 2001110117, dated: 09.04.01
21 pgs.	Copy of U.S. Patent Application No. 10/318,445, Entitled: Food products containing Cyclodextrins having beneficial Hypocholesterolemic effects and method of making and communicating the benefit of such products, Filed on December 13, 2002

DAB/JAE/11370